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Illegal Israeli actions in Occupied East Jerusalem and the rest of the Occupied Palestinian Territory

Security Council
Seventy-second year

Identical letters dated 26 September 2017 from the Permanent Observer of the State of Palestine to the United Nations addressed to the Secretary-General, the President of the General Assembly and the President of the Security Council

I write to you once again with regard to Israel's incessant and provocative declarations regarding plans to construct and expand Israeli settlements throughout the Occupied State of Palestine, including East Jerusalem, in direct and grave contravention of international law and Security Council resolutions, including resolution 2334 (2016), and in blatant defiance of the international community.

On 25 September 2017, various Israeli media reported that the so-called Israeli Civil Administration is preparing to advance plans within the coming weeks for the construction of up to 2,000 new illegal settlement units across the Occupied Palestinian Territory, further entrenching its illegal colonial regime and further diminishing the viability of the two-State solution on the 1967 borders.

On the very same day, the Special Coordinator for the Middle East Peace Process, Nickolay Mladenov, presented the Secretary-General's third report on the implementation of Security Council resolution 2334 (2016), in which he reaffirmed that "Israel did not cease all settlement activities in the Occupied Palestinian Territory, including East Jerusalem, and fully respect all of its legal obligations in this regard as called for by the resolution". He further stated that "since 20 June, Israel's illegal settlement activities have continued at a high rate, a consistent pattern over the course of this year" and that "activity during this period was concentrated primarily in occupied East Jerusalem, where plans were advanced for over 2,300 housing units in July, 30 per cent more than for the whole of 2016".

Security Council resolution 2334 (2016) was unequivocally clear in reaffirming that the "establishment by Israel of settlements in the Palestinian territory occupied since 1967, including East Jerusalem, has no legal validity and constitutes a flagrant violation under international law and a major obstacle to the achievement of the two-State solution and a just, lasting and comprehensive peace". Despite this and the fact that resolution 2334 (2016) also reiterated the Council's "demand that Israel immediately and completely cease all settlement activities in

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the Occupied Palestinian Territory, including East Jerusalem, and that it fully respect all of its legal obligations in this regard", in word and in deed, Israel remains in deliberate contempt of the Council, blatantly rejecting the calls to cease its illegal actions and to take steps to reverse the negative trends on the ground that are imperilling the two-State solution.

In tandem and as part of this unlawful settler colonization campaign, Israel also continues to impose measures of collective punishment against the entire Palestinian population living under its half-century military occupation. In the occupied West Bank, including East Jerusalem, home demolitions and home evictions continue, forcibly displacing hundreds of civilians, including children, with grave humanitarian impact. In our letter of 11 August 2017 (A/ES-10/760-S/2017/704), we called upon the international community to mobilize to stop the eviction of the Shamasna family, who had been residing in the Sheikh Jarrah neighbourhood of occupied East Jerusalem since 1964. Unfortunately, the calls were not heeded and, on 5 September 2017, the family of eight, including a wheelchair-bound 84-year-old grandfather, Ayyoub, and a 75-year-old grandmother, Fahamiya, were forcibly removed by the Israeli occupying forces. As noted by Mr. Mladenov, the Shamasna home is located in a section of the neighbourhood in which several settlement plans were among those promoted in July, further exposing the cynical schemes behind such illegal and inhumane actions.

The Shamasna family's plight is reflective of that tragically endured by thousands of Palestinian families under decades of Israel's systematic dispossession and displacement of the Palestinian civilian population. One of the family members, a 15-year-old boy, Nizar, was set to go to his first day back at school on the day of his family's eviction. At approximately 5.30 a.m., a large number of Israeli forces descended on the Sheikh Jarrah neighbourhood. A traumatized Nizar recalled to reporters and civil society activists witnessing this tragedy: "They took everything: my schoolbag, our clothing, my grandfather's identity card", and "it was heartbreaking to be thrown out in the street without being able to defend yourself". Moreover, as noted by the spokesperson for the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA), Christopher Gunness, "the members of the Shamasna family are long-standing Palestine refugee residents in East Jerusalem, which is occupied territory and affected by continued settlement expansion contrary to international law. It is a matter of deep concern that Palestine refugees who have already endured multiple displacements should be subject to the humiliation of the kind inflicted by forced evictions".

Besides the forced eviction of the Shamasna family, Mr. Mladenov conveyed in the report to the Security Council that eviction proceedings are under way for some 180 Palestinian families in East Jerusalem, more than 60 of whom reside in Sheikh Jarrah. While calling for immediate justice for the Shamasna family in that they be allowed to return to their family home and be compensated for the physical, mental and emotional trauma of being illegally and forcefully dispossessed, forced from their home and displaced again by this cruel military occupation, we also appeal to the international community to act collectively to compel Israel to cease such illegal actions and to prevent any of the 180 other families facing forcible eviction from suffering the same fate as that of the Shamasna family.

The continuation of these evictions and demolitions of Palestinian homes and properties are seen by the Palestinian people as yet further proof of the ill intentions of this foreign colonial occupation and of the Israeli Government's total rejection of the two-State solution and the land-for-peace principle, in defiance of all relevant United Nations resolutions and the international consensus in that regard. As documented by the Office for the Coordination of Humanitarian Affairs, since the beginning of 2017 alone, 344 Palestinian homes and properties have been

demolished by the Israeli occupying forces, a third of them in occupied East Jerusalem, displacing some 500 Palestinians. At the same time, the occupying Power has continued in the recent period to attack the Palestinian people's right to education by demolishing or confiscating three educational facilities, serving 175 children, citing its notorious, bogus claim that they "lacked building permits", all the while knowing that it is virtually impossible for Palestinians to obtain permits from Israel.

Furthermore, Israeli settlers, mimicking the actions of the Israeli occupying forces, also continue their harassment and forced dispossession of Palestinian families. In that regard, we must recall the egregious incident that occurred on 25 July 2017, in the city of Al-Khalil (Hebron), where 15 Israeli settler families illegally occupied the family home of the Abu Rajabs despite ongoing legal proceedings over its ownership. On 27 August 2017, the Israeli Government notified its so-called High Court of Justice that it would evict the settlers within one week, but as the Special Coordinator noted, "this process has been put on hold by a temporary injunction issued by the Court". Included in the present letter are details regarding several of the above-mentioned violations and many other crimes perpetrated by Israel, the occupying Power, in the Occupied Palestinian Territory, including in the besieged Gaza Strip, where our people continue to suffer immeasurably as a result of Israel's 10-year blockade.

The continuation of such violations, crimes and utter impunity by Israel require collective and responsible action; silence will only be exploited by the occupying Power to further its expansionist colonial plans. There must be firm condemnation of all Israeli provocations and incitement and a clear reiteration of the demand for complete cessation of settlement activities and all other violations. The international community must urgently demand Israel's compliance with international law, including humanitarian law and human rights law, and with all relevant resolutions, including resolution 2334 (2016), and be prepared to act to hold it accountable in case of continued non-compliance. In accordance with the Charter of the United Nations, the Security Council's decisions cannot simply remain words on paper but must be respected and this is an obligation for every State, without exception. Contempt for the Council cannot be treated lightly or ignored, for this is done at the risk of further undermining the chances for peace and the international legal system.

In that regard, as underscored by President Mahmoud Abbas before the general debate of the General Assembly, at its seventy-second session, the two-State solution is in jeopardy and we cannot stand idly by while Israel destroys it, prolonging this conflict and obstructing a peaceful solution. As stated by the President, "we cannot as Palestinians stand still in the face of this threat targeting our national, political and social existence on our land, and endangering regional and international peace and security. We will have to take steps or look for alternatives to preserve our national existence and to keep open the horizons for peace and security". President Abbas continued:

> Our choice is the two-State solution on the 1967 borders ... but if the two-State solution were to be destroyed due to the creation of a one-State reality with two systems — apartheid — from the unchecked imposition of this occupation that is rejected by our people and the world, this would be a failure, and neither you, nor we, will have any other choice but to continue the struggle and demand full, equal rights for all inhabitants of historic Palestine. This is not a threat, but a warning of the realities before us as a result of ongoing Israeli policies that are gravely undermining the two-State solution.

The crossroads before us is clear; the international community must choose between the pursuit of peace and justice or continued impunity that allows for more unilateral, illegal Israeli moves that will only further destabilize and prolong the conflict. It is long overdue for the world to stand up to the occupying Power and demand an end to this half-century occupation and flagrant disregard for international law.

The Palestinian people must finally be able to live as a free people, free from occupation, in their independent State of Palestine, with East Jerusalem as its capital. Here, we recall what the Secretary-General said on his recent visit to the Occupied Palestinian Territory, "the international community cannot simply turn away and allow the situation to deteriorate. We have a role and a responsibility to support the parties in resolving this conflict". The Special Coordination said that "with that responsibility comes an obligation, an obligation to do what is necessary to establish a peaceful, prosperous and secure future — for Palestinians, for Israelis and for the entire region". We urge immediate and concerted efforts towards this end.

The present letter is in follow-up to our previous 618 letters regarding the ongoing crisis in the Occupied Palestinian Territory, including East Jerusalem, which constitutes the territory of the State of Palestine. Those letters, dated from 29 September 2000 (A/55/432-S/2000/921) to 11 August 2017 (A/ES-10/760-S/2017/704), constitute a basic record of the crimes being committed by Israel, the occupying Power, against the Palestinian people since September 2000. For all of these war crimes, acts of State terrorism and systematic human rights violations being committed against the Palestinian people, Israel, the occupying Power, must be held accountable and the perpetrators brought to justice.

I should be grateful if you would have the present letter distributed as a document of the tenth emergency special session of the General Assembly, under agenda item 5, and of the Security Council.

(*Signed*) Riyad **Mansour**
Ambassador
Permanent Observer of the State of Palestine to the United Nations